



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,162	09/25/2003	Barry J. Gilhuly	1400-1072C4	7030
47243 7590 09/29/2008 DANAMRAJ & EMANUELSON, P.C. PREMIER PLACE, SUITE 1450 5910 NORTH CENTRAL EXPRESSWAY DALLAS, TX 75206				
EXAMINER				
STRANGE, AARON N				
ART UNIT		PAPER NUMBER		
2153				
MAIL DATE		DELIVERY MODE		
09/29/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,162

Applicant(s)

GILHULY ET AL.

Examiner

AARON STRANGE

Art Unit

2153

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 71-106 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 71-106 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 71-106 in the reply filed on 5/28/08 is acknowledged.

Response to Arguments

2. Applicant's arguments with respect to claims 71-106 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 77-81 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 77 depends from cancelled claim 70, rendering its scope unascertainable. For the purpose of applying prior art, the claim has been treated as though it depends from claim 71.

6. All claims not individually rejected are rejected by virtue of their dependency from the above claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 71, 72, 74, 77, 79, 82-85, 87, 90, 92, 95-97, 99, 102 and 104 rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 5,958,006) in view of Carthy et al. (MAPI Developers Forum post "MAPI Notification", April 12, 1996) further in view of Tello et al. (US 6,381,634).

9. With regard to claim 71, Eggleston discloses a wireless system coupled to a messaging host (post office host server) and to a wireless data network (network accessible via BS1)(col. 4, ll. 52-55) that provides an interface for one or more data items (email messages) associated with a user's computer between the messaging host and the wireless data network, the wireless system comprising:

redirector means (communication server) for detecting the one or more data items (VSM in communication server checks for unread mails in the users post office box)(col. 6, ll. 56-61), the redirector means interfacing with the messaging host via a

wide-area packet network (post office may be coupled to VSM by a WAN)(col. 4, ll. 57-61), wherein the one or more data items are received at the messaging host (emails are received by and stored at the post office)(col. 6, ll. 61-63) and have a first address associated with the user's computer (email messages are inherently associated with the user's computer since they are received by and stored in the user's post office box)(col. 4, ll. 56-63); and

wireless gateway means for interfacing the data items to the wireless data network (VSM forwards the emails to the mobile device via the wireless network)(col. 6, l. 66 to col. 7, l. 6).

However, Eggleston fails to specifically disclose that the redirector detects the data items using an automatically generated notification, or that the data items are packaged in an envelope having a second address to provide one or more packaged data items.

Carthy discloses a similar system where the notification of new messages in a user's mailbox is sent automatically, as opposed to polling, using an extended MAPI IMAPAdviseSink notification (See the Carthy post describing "full asynchronous" notification in extended MAPI). Carthy further discloses that in order to receive these automatic notifications the system must register with a software interface associated with the messaging server (i.e. registering with the ImsgStore to receive adviseSinks). Cathy also disclosed that automatic notification is preferable to polling (see the Cohen post below: "Today I do a polling on each mailbox : I open a connection through MAPI functions, I consult, I notify if new mail, and I close the connection. Then I go to the next

mailbox and do the same actions. It's not great ®. So I'd like to know whether -there-exists another way to notify with MAPI, especially a "fully asynchronous" notification"). This would have been an advantageous addition to the system disclosed by Eggleston since the detection process alerts the system immediately upon arrival of new messages, eliminating the delay associated with polling each user's mailbox.

Tello also discloses a similar system for forwarding e-mail messages from a host system associated with a first e-mail address to a second system associated with a second e-mail address. Tello teaches receiving an e-mail message at a host machine (ISP mail server) associated with a first e-mail address (well-known-name value 505)(col. 4, ll. 43-48; col. 5, ll. 29-33), and redirecting the message to a second address associated with the recipient (well-known-name-value is converted into literal address for redirection)(col. 5, ll. 33-39). Tello further discloses that the user's well-known name address remains unchanged, even if the literal address associated with it changes (col. 5, ll. 56-67), permitting e-mail address portability (col. 5, ll. 58-60). This would have been an advantageous addition to the system disclosed by Eggleston since it would have allowed users to maintain a single email address that repackaged received messages for delivery to a second address associated with the user's current location.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically notify the redirection device of newly received messages and permit forwarding of messages to a second address associated with the user to ensure that received messages were immediately sent to the user's current location.

10. With regard to claim 72, Tello further discloses that the one or more data items interfaced to the wireless data network are original data items (email message is forwarded to the appropriate address without modification)(col. 5, ll. 36-39).

11. With regard to claim 72, Eggleston further discloses a mobile device adapted to receive the data items packaged with the second address and interfaced through the wireless data network (col. 4, ll. 51-55).

12. With regard to claim 74, Eggleston further discloses that the one or more data items are compressed data items (messages may be compressed)(col. 11, ll. 63-67).

13. With regard to claim 77, Eggleston further discloses that the one or more data items interfaces to the wireless data network are copies of the data items (a copy of the message is retained at the server and sent to the wireless network)(col. 12, ll. 32-39 and 59-62).

14. With regard to claim 79, Eggleston further discloses that the one or more data items are compressed data items (messages may be compressed)(col. 11, ll. 63-67).

15. With regard to claim 82, Eggleston further discloses a mobile device adapted to receive the data items packaged with the second address and interfaced through the wireless data network (col. 4, ll. 51-55).

16. Claims 83-85, 87, 90, 92, 95-97, 99, 102 and 104 are rejected under the same rationale as claims 71, 72, 74, 77, 79 and 82, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

17. Claims 73, 78, 86, 91, 98 and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 5,958,006) in view of Carthy et al. (MAPI Developers Forum post "MAPI Notification", April 12, 1996) further in view of Tello et al. (US 6,381,634) further in view of Murota (US 6,289,105).

18. With regard to claim 73 and 78, while the system disclosed by Eggleston, Carthy and Tello shows substantial features of the claimed invention (discussed above), it fails to disclose that the one or more data items are encrypted data items.

Murota discloses a similar system for sending e-mail messages between a sender and a receiver, wherein a message is encrypted at the sending end, is then transmitted over the network to the receiving end, and is finally decrypted at the receiving computer (col. 1, ll. 23-48). Murota further discloses that such an encryption

scheme is advantageous because it prevents leaks of secret information to outside, non-intended parties (Murota, col. 1, ll. 49-53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to encrypt the data items to prevent unauthorized parties from accessing the contents of the data items.

19. Claims 86, 91, 98 and 103 are rejected under the same rationale as claims 73 and 78, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

20. Claims 75, 80, 88, 93, 100 and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 5,958,006) in view of Carthy et al. (MAPI Developers Forum post "MAPI Notification", April 12, 1996) further in view of Tello et al. (US 6,381,634) further in view of Official Notice.

21. With regard to claims 75 and 80, while the system disclosed by Eggleston, Carthy and Tello shows substantial features of the claimed invention (discussed above), it fails to disclose that the data items are repackaged using MIME.

The Examiner takes Official Notice that MIME was an old and well known standard for formatting email messages at the time the invention was made. Formatting messages using MIME would have merely been a predictable variation of the formatting

used by Eggleston, Carthy and Tello, since it was a widely used formatting standard for email messages.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use MIME to repackage the data items.

22. Claims 88, 93, 100 and 105 are rejected under the same rationale as claims 75 and 80, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

23. Claims 76, 81, 89, 94, 101 and 106 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 5,958,006) in view of Carthy et al. (MAPI Developers Forum post "MAPI Notification", April 12, 1996) further in view of Tello et al. (US 6,381,634) further in view of Halim et al. (US 6,304,881).

24. With regard to claim 76 and 81, while the system disclosed by Eggleston, Carthy and Tello shows substantial features of the claimed invention (discussed above), it fails to disclose that the data items are repackaged using IMAP.

Halim discloses a similar system for forwarding email messages to a remote device. Halim teaches the user of IMAP for retrieving email messages from an email server (col. 1, ll. 59-63). This would have been an advantageous addition to the system

disclosed by Eggleston, Carthy and Tello since it would have allowed IMAP users to have their email redirected to a wireless device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use permit IMAP users to redirect email messages to a wireless device.

25. Claims 89, 94, 101 and 106 are rejected under the same rationale as claims 76 and 81, since they recite substantially identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited art.

Conclusion

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Glenton B. Burgess/
Supervisory Patent Examiner, Art Unit 2153

/A. S./
Examiner, Art Unit 2153